



CCTV (Assessment and Implementation) Policy

Version No.	V 1.0, 24 August 2020
Endorsement	Executive, 19 June 2020 Policy Review Panel, 24 August 2020
Authorisation	Council, 14 September 2020
Review date:	1 November 2024
Responsible officer:	Manager Community Planning
Policy owner	Coordinator Social Planning

1. Purpose

This Policy aims to provide guidance to Council and staff in relation to the assessment and installation of Council owned or operated Closed Circuit TeleVision (CCTV) systems. It seeks to explain the role of CCTV systems, within the City of Melton's place based, community activation and engagement context, as compared to more traditional crime and justice settings. It explains how the Council will make balanced decisions about the installation of CCTV systems, against its commitment to improving the overall quality of life of people in the local community, and its role in maintaining the peace, order and good government of the municipal district.

This Policy applies when:

- a) implementing Council's corporate, or public safety CCTV systems ensuring compliance with this Policy and relevant legislative requirements, fairly and only for the purpose for which it was established, with due regard to the *Privacy Policy* and the *Victorian Human Rights Charter*.
- b) considering the installation of corporate or public safety CCTV systems (including permanent, temporary and mobile systems).
- c) reviewing the temporary requirements of public safety CCTV systems.
- d) assessing the temporary, or ongoing requirements of corporate CCTV systems.

This Policy does not apply to private CCTV systems, and should also be read in conjunction with associated policies and procedures, and the Safe City, Proud Communities Plan.

The implementation of this Policy is also supported by the CCTV (Asset and Facility) Operating Procedure.

2. Definitions

Within the City of Melton, closed circuit television (CCTV) is used primarily in association with the protection of Council staff and assets. It may also be considered for reasons of public safety, hence the use of public CCTV systems generally will fall into two main categories:

- 1) **Corporate CCTV systems:** monitor Council owned assets and facilities. Fixed CCTV may also be used in Council buildings to monitor public areas and service access points. Mobile CCTV cameras may also be used in other authorised surveillance settings. These systems are managed onsite by Council employees or contractors.
- 2) **Public Safety CCTV systems:** monitor public places, generally high pedestrian thoroughfares and areas where antisocial behaviour is perceived to be higher, such

as shopping precincts, entertainment areas and specific open spaces. These systems are usually permanent, however new and emerging technologies continue to involve including the use of temporary or mobile public safety CCTV systems. Public Safety CCTV systems are often installed and monitored in partnership with Police.

These two systems are similar, however the underlying rationale, drivers, objectives and operating requirements may differ and require nuanced considerations in relation to their installation, maintenance and management.

Council currently operates several corporate CCTV systems but does not currently own or operate any public safety CCTV systems.

- 3) **Site Needs and Opportunities Assessment (SNO)** – A Site Needs and Opportunities Assessment will be completed prior to any new Council operated CCTV System being implemented or extended.

- 4) **Crime Prevention Through Environmental Design (CPTED)** - refers to a holistic, multi-disciplinary approach to crime prevention based in principles of urban design and the management of built and natural environments. CPTED strategies aim to reduce victimisation, deter offender decisions that precede criminal acts, and build a sense of community, so that people's connection to place, helps to reduce actual crime, and improve perceptions of safety. CPTED is pronounced 'sep-ted' and it is also known around the world as Designing Out Crime, defensible space, and is referred to in the Victorian, Safer City Guide.

3. Scope

This Policy applies to:

- the installation and use of all Melton City Council CCTV Camera Systems and any data, images or documents produced as a result of the operation of the system.
- all Melton City Council and staff members, contractors, as well as customers and visitors, where applicable.
- Council owned and operated corporate CCTV systems, where the primary objective would relate to protecting Council staff and assets, or public safety CCTV systems, where the primary objective would relate to community safety.

This Policy does not apply to:

- drones (Unmanned Aerial Vehicles).
- mobile body cameras worn by Council officers (see Mobile Body Cameras Policy and Procedures).
- smart city technology such as other camera-based systems used to collect city data including car parking usage, traffic patterns and people movement that capture de-identified information.
- sporting groups or clubs, commercial businesses or private residential tenants (lessees and licensees) of Council's land that are not required to comply with the Privacy and Data Information Act and Freedom of Information Act for CCTV camera footage taken inside buildings.
- CCTV cameras on private land, where the data captured is not accessed or controlled by Council.

- other residential or commercial CCTV systems, or developer use of CCTV systems.

4. CCTV Policy Context

This Policy acknowledges the various contentions in relation to the installation and use of CCTV systems. Research indicates that the role and effectiveness of CCTV use in public places is varied and inconsistent. Most studies suggest that CCTV is largely ineffective at reducing crime. Despite this, evidence does suggest that CCTV can be beneficial to preventing property crimes, particularly vehicle crimes. The effect of CCTV on offences against the person including personal crime and violent crime and public order offences is less clear, with no consistent evidence to support CCTV use in deterring these types of crime.¹

CCTV is recognised as a beneficial policing tool in situations where the video recording is of high quality, and footage can support police in identifying offenders, gathering evidence and assisting prosecutions.²

Research suggests that whilst many people state that they would feel safer with the installation of cameras, there is little evidence to indicate that feelings of safety are increased when CCTV systems are introduced. Research indicates that the benefits of CCTV can fade after a period of time, and that introducing CCTV systems may displace crime rather than reduce it. CCTV systems can also negatively impact perceptions of crime, signalling that the area is unsafe.³

For all of these reasons, clear and transparent decisions associated with CCTV systems assessment and installation is required and will be achieved in alignment with the Safe City, Proud Communities Plan, through the application of this Policy.

5. Policy Principles

The following principles will guide Council decisions in relation to all CCTV:

- a) Strategies to enhance actual and perceived levels of safety should be holistic, preferring crime prevention through environmental design (CPTED), place making and activation and community development approaches over the installation of public safety CCTV systems.
- b) Community safety is a shared responsibility between all levels of government, business and community members.
- c) An objective, evidence-based assessment approach (Site Needs and Opportunities Assessment [SNO]), should be consistently applied pertaining to the installation, use and review of corporate and public safety CCTV systems (temporary or mobile).
- d) Any proposed CCTV system will have clearly identified objectives, review mechanisms and be used in a manner which is consistent with its intended purpose.
- e) Any CCTV system will be compliant with relevant legislation and best practice guidelines including ensuring due regard to privacy and upholding human rights.

¹ Metcalfe, L., Morgan, A., & Garner, C. (2020). *Local government public space CCTV systems in Australia*. Crime Prevention and Community Safety, 22(3), 210-222. doi:<http://dx.doi.org.ezproxy.slv.vic.gov.au/10.1057/s41300-020-00093-8>. See also, Victorian Auditor-Generals Office (VAGO), 2019, *Security and Privacy of Surveillance Technologies in Public Places* 19 Sept 2019, (<https://www.audit.vic.gov.au/report/security-and-privacy-surveillance-technologies-public-places?section=>)

² IFEC Global (2020) *Role of CCTV Cameras: Public, Privacy and Protection*, (April 2020) (<https://www.ifecglobal.com/video-surveillance/role-cctv-cameras-public-privacy-protection/>) see also, Wells, Allard, and Wilson. (2006). *Crime and CCTV in Australia: Understanding the Relationship*.

³ Welsh, B., & Farrington, D. (2002). *Crime prevention effects of closed circuit television: A Systematic review*, Home Office Research Study 252. London: Home Office Research, Development and Statistics Directorate.

- f) That Council has a consistent approach in the application and management of CCTV systems and supporting infrastructure, established by the CCTV (Asset and Facility) Operating Procedure.

6. Policy

Melton City Council's adopted policy positions in relation to CCTV Installations are:

1. Council will prioritise crime prevention through environmental design (CPTED), place making and activation and community development over the installation of CCTV systems.
2. Council may install and operate corporate CCTV systems in Council buildings and infrastructure or Council land for the purposes of asset and staff protection (as an employer) and may use CCTV in and around Council facilities and as part of its customer service operations.
3. Council will not install permanent public safety CCTV systems, however may consider the use of temporary or mobile CCTV systems within specific contexts that are supported by a strong evidence base and clear objectives and timeframes for use and review.
4. Private surveillance over public areas or land is not supported by this Policy.
5. Council will not install or fund the installation of CCTV or surveillance equipment on privately owned land, land leased to a third party, or subject to multiple license agreements.
6. Property owners, residents, businesses and State or Federal government agencies are responsible for applying appropriate crime prevention and protection approaches to their properties, in accordance with relevant laws, standards and government guidelines.
7. Whole of life-cycle costing, including installation and maintenance schedules, operational costs and staff resourcing will be considered as part of the initial assessment and as part of the complete CCTV installation proposal.
8. The cost to Council to install and maintain CCTV cameras needs to be assessed against the objectives of the system and the most effective use of Council resources.

7. Policy application

Strategies to enhance actual and perceived levels of safety should be holistic, prioritising CPTED, place making, community activation and development approaches over the installation of CCTV systems.

Every assessment should begin with a standardised situational site, needs and opportunities report (SNO). This applies to all situations where a request for CCTV installation has been made, reports of public safety concern have been submitted, criminal activity has been alleged, or perceived threats to asset protection have been identified.

In considering and responding to safety concerns, relevant evidence and data should be reviewed including but not limited to crime data and perceptions of safety data.

All requests will be referred to the Social Planning and Wellbeing Team for registration and assessment team coordination.

SNO assessments may also be coordinated by the relevant area of Council that receives the request, with support available from the Social Planning and Wellbeing Team.

7.1 Assessment arrangements

The following assessment stages should be applied when assessing the CCTV related enquiry.

The SNO report provides the basis for assessment of the available evidence and applied CPTED practice for each CCTV related request, against this Policy:

Stage One: The initial SNO will include an assessment of the following:

- a) The level of agreement that fit-for-purpose design and demonstrated personal duty of care has been achieved.
- b) Outcomes of the audit of the area for compliance with Crime Prevention Through Environmental Design (CPTED) principles.
- c) Degree of site and area activation required to enable satisfactory levels of use, public access and participation, opportunities to improve passive surveillance.
- d) New opportunities for place making, community activation and increased use
- e) Potential for lighting improvements
- f) Potential increase in police presence and targeted operations.

Actions: Strategies to improve CPTED practice and to address any shortfall identified in the initial SNO assessment should be applied, with a secondary assessment conducted within three months of the initial improvement actions being implemented.

Stage Two: Once the strategies identified at Stage One have been applied, and a second SNO has been conducted, where the safety concern still exists, Council may consider the potential for:

- a) A temporary or mobile public safety CCTV system.
- b) A permanent corporate CCTV system. It should be noted this is not Council's option for public places located on non-Council owned or managed land, nor will Council provide CCTV in public places for community safety.

7.2 Liaison and Assessment Support

In addition to the assessment arrangements, Council will continue to influence public safety outcomes by:

- a) liaising with community on community safety matters
- b) working with community and businesses on the application of the stage one assessment considerations
- c) advocating to local police for increased police presence in identified locations
- d) referring requests from the community regarding public safety to the police
- e) considering referral of enquiries to the Road and Community Safety Committee

7.3 Location

The installation location is an essential consideration in the use of CCTV systems:

- a) Installation of corporate CCTV systems will only be considered for Council owned assets and infrastructure.
- b) Temporary or mobile public safety CCTV systems will only be considered in locations:
 - I. that are identified as high pedestrian areas.
 - II. where a crime hotspot issue/s is identified (by Victoria Police).
 - III. where poor perceptions of safety are identified.
 - IV. that are Council owned or managed.

- V. where a high risk of criminal behaviour still remains once the SNO strategies have been applied.
- VI. where objectives and timeframes are clearly defined, benchmarks in safety improvements are identified and evaluation mechanisms are established to monitor and then remove the temporary or mobile CCTV system.

8. Delegation

The decision to install a temporary or mobile public safety CCTV in line with this Policy sits with the CEO.

The decision to install corporate CCTV Systems in line with this Policy may be delegated by the CEO to the Manager Operations.

SNO assessments to be carried out in accordance with the Policy will be conducted by the Council roles competent to do so, with leadership support from the Social Planning and Wellbeing Team.

9. Central register

Council will keep a register of all Council operated CCTV cameras:

- a) The register will include the location, type of device, number of devices, purpose, signage, owner, operator, type of monitoring, operating documentation and where relevant, whether there is an Memorandum of Understanding in place.
- b) Authorised Officers will be identified for each CCTV location and their access to CCTV systems will operate within the highest standards of procedural integrity.

10. Compliance and best practice

Any use of a CCTV system must be within applicable laws, standards and government guidelines.

- a) A third party CCTV 'owner' has the primary responsibility for their CCTV system's compliance with the CCTV owner's CCTV Policy, organisational hardware requirements, in accordance with the law.
- b) The use of CCTV must have regard for the reasonable expectations of an individual's privacy, in terms of camera placement, the use of active monitoring, appropriate data management and restrictions for release of footage.
- c) Members of the public will be afforded a reasonable level of privacy while within the areas of surveillance and will be notified by appropriate signage.
- d) In the event that Council and Victoria Police agree to install and use a temporary CCTV system in safety hotspots, a formal agreement will be entered into including responsibilities for funding and other considerations including installation and maintenance requirements.

11. Lessees and licensees

Lessees and licensees must receive written consent from Council prior to CCTV installation:

- a) Standard lease and license agreements state that permission must be sought for any alterations to the building.
- b) Requests to Council by its licensees and lessees to install CCTV systems will be reviewed in line with this Policy and related procedures.

12. Complaints

Complaints about the Policy will be managed under Council's complaint resolution process via Council's website at [Melton City Council](#).

13. Policy review

This Policy will be reviewed every four years from the date of Council adoption, or as triggered during an evaluation period.

14. References and links to legislation and other documents

Council's CCTV programs are guided, designed, operated and managed in accordance with relevant industry standards and guidelines, including:

- AS4806 set CCTV Standards
- *Guide to Developing CCTV for Public Safety in Victoria - A community crime prevention initiative*, Department of Justice 2018 Closed Circuit Television in Public Places – Guidelines
- *Victorian Ombudsman's Guidelines for developing Closed Circuit Television policies for Victorian Public-Sector Bodies*, November 2012
- *Guidelines to Surveillance and Privacy in the Victorian Public Sector*, Office of the Victorian Information Commissioner, May 2018
- *Safer Design Guidelines for Victoria*, Department of Sustainability and Environment & Crime Prevention Victoria 2005
- *CCTV (Asset and Facility) Operating Procedure*, Melton City Council (TBD)

Name	Location
Surveillance Devices Act 1999 (Vic)	http://www.legislation.vic.gov.au/
Charter of Human Rights and Responsibilities Act 2006 (Vic)	http://www.legislation.vic.gov.au/
Public Records Act 1973 (Vic)	http://www.legislation.vic.gov.au/
Freedom of Information Act 1982 (Vic)	http://www.legislation.vic.gov.au/
Information Privacy Act 2000	http://www.legislation.vic.gov.au/
Commonwealth Privacy Act 1988 (Cth)	http://www.comlaw.gov.au/
CCTV (Asset and Facility) Operating Procedure	http://intranet2013.melton.vic.gov.au/Pages/home.aspx
Closed Circuit Television in Public Places – Guidelines 2012 (Victorian ombudsman)	http://www.ombudsman.vic.gov.au
Privacy and Data Protection Act 2014 (Vic)	http://www.legislation.vic.gov.au/
Evidence Act 2008 (Vic)	http://www.legislation.vic.gov.au/